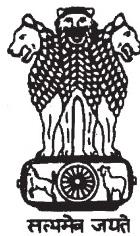


MANIPUR



GAZETTE

EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 433

Imphal, Tuesday, March 16, 2021 (Phalgun 25, 1942)

GOVERNMENT OF MANIPUR SECRETARIAT : LAW & LEGISLATIVE AFFAIRS DEPARTMENT

NOTIFICATION Imphal, March, 2021

No. 2/17/2021-Leg/L: The following Act of the Legislature, Manipur which received assent of the Governor of Manipur on March 12, 2021 is hereby published in the Official Gazette:

THE MANIPUR STATE PLANNING AUTHORITY ACT, 2021 (MANIPUR ACT NO. 17 OF 2021)

AN

ACT

to provide for the constitution of a Manipur State Planning Authority for the preparation of a plan for the development of the State and for co-ordinating and monitoring the implementation of such plan and for evolving harmonized policies for the control of land-uses and development of infrastructure so as to ensure planned development of the State and for matters connected therewith or incidental thereto.

BE it enacted by the Legislature of Manipur in the Seventy-second Year of the Republic of India as follows:-

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Manipur State Planning Authority Act, 2021. Short title, extent and commencement.
(2) It extends to the whole of the State of Manipur.
(3) It shall come into force from the date of its publication in the Official Gazette. Definitions.
2. In this Act, unless the context otherwise requires:-
(a) "Committee" means the Planning Committee constituted under sub-section (1) of section 4;

- (b) "Planning Authority" means the Manipur State Planning Authority constituted under sub-section (1) of section 3;
- (c) "prescribed" means prescribed by the rules made under this Act;
- (d) "regulations" means regulations made by the Planning Authority under this Act; and
- (e) "State Government" means the Government of Manipur.

CHAPTER II

MANIPUR STATE PLANNING AUTHORITY

Constitution
and
incorporation
of the
Planning
Authority.

- 3. (1) The State Government shall, by notification in the Official Gazette, constitute for the purposes of this Act, a Planning Authority, to be called the Manipur State Planning Authority.
- (2) The Planning Authority shall consist of the following members, namely:-

 - (a) Chief Minister, Manipur, who shall be the Chairman of the Authority;
 - (b) Deputy Chairman to be nominated by the State Government;
 - (c) All the Cabinet Ministers, Manipur;
 - (d) Chairman, Hill Areas Committee, Manipur;
 - (e) Chief Secretary, Government of Manipur;
 - (f) Vice-Chancellor, Manipur University;
 - (g) Vice-Chancellor, Central Agriculture University;
 - (h) Vice-Chancellor, Dhanamanjuri University;
 - (i) Vice-Chancellor, Manipur Technical University;
 - (j) All Administrative Secretaries to the Government of Manipur;
 - (k) Administrative Secretary (Planning), Government of Manipur as Member Secretary;
 - (l) One Professor of Economics, Manipur University to be nominated by Vice Chancellor; and
 - (m) Four other expert members to be nominated by the State Government:

Provided that the terms and conditions of the members nominated under clauses (b), (l) and (m) of sub-section (2) shall be such as may be prescribed.

4. (1) The Planning Authority shall, as soon as may be, after the commencement of this Act, constitute a Committee, to be called the Planning Committee, for assisting the Authority in discharging its functions.

Composition of
the Planning
Committee.

(2) The Committee shall consist of the following members, namely:-

- (a) Chief Secretary who shall be the ex officio Chairman of the Committee;
- (b) Administrative Secretary (Planning, Works, Finance, MAHUD, Trade, Commerce & Industries, Rural Development & Panchayati Raj, Agriculture, Horticulture, Forest & Environment, Power, Tribal Affairs & Hills, Minority Affairs, Information Technology, Labour & Employment), ex-officio member;
- (c) Director (Planning) who shall be the ex-officio Member Secretary of the Committee; and
- (d) Four expert members to be nominated by the State Government;

Provided that the terms and conditions of the members nominated under clause (d) of sub-section (2) shall be such as may be prescribed.

5. No act or proceeding of the Planning Authority shall be invalid merely by reason of:-

Vacancies, etc.,
not to invalidate
proceedings of
the Planning
Authority or of
the Committee.

- (a) the existence of any vacancy in, or any defect in the constitution of, the Planning Authority.
- (b) any irregularity in the procedure of the Planning Authority not affecting the merits of the case.

CHAPTER III

FUNCTIONS AND POWERS OF THE AUTHORITY AND OF THE COMMITTEE

6. (a) The Planning Authority shall formulate the Manipur State Planning Policy and Master Plan which will be a single document to indicate the interest of the State Government in land use, planning and development in a comprehensive manner.
- (b) The Planning Authority shall make an assessment of the State resources and formulate plan for the most effective and balanced utilization of these resources.

Functions of the
Planning
Authority.

- (c) The Planning Authority shall determine plan priorities of the State Government in consonance with the policies and programme of the Central Government.
 - (d) The Planning Authority shall finalize the Master Plan for the development of the State which once approved will be binding across the State.
 - (e) The Planning Authority shall guide district authorities in formulating their development plans within the spheres in which such planning is considered useful and feasible and to coordinate these plans with the State Plan.
 - (f) The Planning Authority shall identify factors which tend to retard economic and social development of the State and determine conditions to be established for successful execution of the plans.
 - (g) The Planning Authority shall periodically review the working of the planning and development organization in the State viz. Loktak Development Authority, Planning & Development Authority, Manipur Industrial Development Corporation, Manipur Police Housing Corporation, Municipal Administration Housing & Urban Development, Manipur State Power Distribution Corporation Ltd., Manipur State Power Company Ltd. Tourism Corporation of Manipur Ltd. and any other agency and make recommendations to the State Government with a view to ensure comprehensive functional and integrated multi-level planning and development in the State.
 - (h) The Planning Authority may consult any expert as and when necessary.
 - (i) The Planning Authority shall monitor implementation of the Manipur State Planning Policy and review the policy from time to time and make changes whenever necessary.
 - (j) All decisions and recommendations of the Planning Authority shall be submitted to the State Government for its approval.
 - (k) The Planning Department will act as Secretariat of the Manipur State Planning Authority.
- Powers of the Planning Authority.**
7. The powers of the Planning Authority shall include the following:-
- (a) to receive, revise and amend the plans of other public agencies, authorities and organizations so that an

integrated effective and efficient utilization of resources may be achieved;

- (b) to call for reports and information from the concerned Departments and Agencies of the State Government with regard to preparation, enforcement of policy and implementation of plan ;
- (c) to constitute as many Sub-Committees, consisting wholly or partly of members of the Committee and partly of other persons and for such purpose(s) as the Planning Authority may deem necessary;
- (d) Notwithstanding anything contained in any other law for the time being in force, the Manipur State Planning Authority may give such directions with regard to the implementation of any other development project, as it may think fit, to an agency, department or authority, as the case may be, which has been entrusted with one or more of development schemes in the State;
- (e) to take such action as may be necessary and proper in order to achieve its objectives and exercise such other powers as the Government may prescribe; and
- (f) to select and approve comprehensive projects, call for priority development and provide such guidance for the implementation of those projects as the Planning Authority may deem fit.

8. (1) The function of the Committee shall be to assist the Planning Authority in the preparation and co-ordination and implementation of the Master Plan and to ensure that the same is in conformity with the Manipur State Planning Policy.

Functions of the Committee.

(2) The Committee may make such recommendation to the Planning Authority as it may deem necessary to amend or modify Master Plan or any sectoral plan or component thereof.

(3) The Committee shall perform such other functions as may be entrusted to it by the Planning Authority.

9. The Planning Authority may cause such survey and studies as it may consider necessary, to be made by such person or group of persons as it may appoint in this behalf and may also associate such experts or consultants for carrying out studies in relation to such specified matters as may be determined by the Planning Authority.

Survey and Studies.

CHAPTER IV

MISCELLANEOUS

Act to have overriding effect.

10. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act; or in any decree or order of any court, tribunal or other authority.

Power of the State Government to give direction.

11. The State Government may, from time to time, give such direction to the Planning Authority as it may deem fit for the efficient administration of this Act and when any such direction is given, the Authority shall carry out such direction.

Violation of Master Plan.

12. (1) On and from the coming into operation of the Master Plan, no development shall be made in any region of the State which is inconsistent with the Master Plan.

(2) Where the Planning Authority is satisfied that any department or authority of the State Government has carried out, or is carrying out, any activity which amounts to a violation of the Master Plan, it may, by a notice in writing, direct the department or authority of the State Government as the case may be, to stop such violation of the Master Plan within such time as may be specified in the said notice and such direction shall be binding on the Department.

Technical assistance to the Authority.

13. (1) The State Government may direct any of its organisation to provide, on such terms and conditions as may be mutually agreed upon, such technical assistance to the Planning Authority as State Government may consider necessary.

(2) With a view to enabling the Committee to discharge its functions, the Planning Authority shall, out of the technical assistance received by it under sub-section (1) make available to the Committee such technical assistance as the Committee may require.

Power to delegate.

14. The Planning Authority may, by notification in the Official Gazette, direct that any function or power (other than the power to approve the Master Plan and to make the regulations), or duty which the Authority may perform, exercise or discharge under this Act shall subject to such conditions, if any, as may be specified in the notification, be performed, exercised or discharged also by such person or persons as may be specified in the notification and where any such delegation of power is made the person or persons to whom such power is delegated shall perform, exercise or discharge those powers in the same manner

and to the same extent as if they were conferred on him or them directly by this Act and not by way of delegation.

15. Subject to any rules made in this behalf, any person generally or specially authorised by the Planning Authority in this behalf, may, at all reasonable times, enter upon any land or premises and do such things thereon as may be necessary for the purpose of lawfully carrying out any works or for making any survey, examination or investigation, preliminary or incidental to the exercise of any power or performance of any function by the Authority under this Act:

Provided that no such person shall enter any building or any enclosed courtyard or garden attached to a dwelling-house without previously giving the occupier thereof at least three days' notice in writing of his intention to do so.

16. No suit, prosecution or other legal proceeding shall lie against the Planning Authority or any member or any officer or any other employee of the Planning Authority including any other person authorised by the Planning Authority to exercise any power or to discharge any function under this Act, or for anything which is in good faith done or intended to be done under this Act.

17. (1) The State Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

(2) Without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

- (a) the composition and terms and conditions of the members of the Authority and of the Committee, as required by sub-section (2) of section 3 and sub-section (2) of section 4 respectively, to be prescribed;
- (b) the conditions and restrictions with respect to the exercise of the powers to enter under section 15 and other matters relating thereto; and
- (c) any other matters which is to be, or may be, prescribed or in respect of which provision is to be, or may be, made by rules.

18. The Planning Authority may, with the previous approval of the State Government, by notification in the Official Gazette, make regulations not inconsistent with this Act and the rules made thereunder to carry out the provisions of this Act.

Power of entry.

Protection of action taken in good faith.

Power to make rules.

Power to make regulations.

Rules and regulations to be laid before Manipur State Legislature.

19. Every rule and every regulation made under this Act shall be laid, as soon as may be after it is made, before the State Legislature, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, Legislature agree in making any modification in the rule or regulation, as the case may be, or Legislature agree that the rules or regulations, as the case may be, should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation.

Dissolution of the Planning Authority.

20.(1) Where the State Government is satisfied that the purposes for which the Planning Authority was established under this Act have been substantially achieved or continued existence of the Planning Authority in the opinion of the State Government is unnecessary, the State Government may, by notification in the Official Gazette, declare that the Planning Authority shall be dissolved with effect from such date as may be specified in the notification; and the Planning Authority shall be deemed to be dissolved accordingly.

(2) From the said date:

- (a) all properties, funds and dues which are vested in or realisable by the Planning Authority shall vest in, or be realisable by, the State Government.
- (b) all liabilities which are enforceable against the Authority shall be enforceable against the State Government.
- (c) for the purpose of carrying out any development which has not been fully carried out by the Planning Authority and for the purpose of realising properties, funds and dues referred to in clause (a), the functions of the Planning Authority shall be discharged by the State Government.
- (d) nothing in this section shall be construed as preventing the State Government from reconstituting the Planning Authority in accordance with the provisions of this Act.

21. For the removal of doubts, it is hereby declared that the acquisition of land or the determination of any right or interest in, or in relation to, any land or other property, where necessary to give effect to any Master Plan, shall be made by the State Government in accordance with the law for the time being in force in the State.

Acquisition of
land and
determination
of rights in
relation to land
to be made by
the
Government.

No. 10 of
1972

22. (1) The Salaries and Allowances of the Deputy Chairman of the State Planning Board (Manipur) Act, 1972 is hereby repealed.

Repeal and
savings.

(2) Notwithstanding such repeal, anything done or any action taken under the said Act shall be deemed to have been done or taken under the corresponding provisions of this Act.

NUNGSHITOMBI ATHOKPAM

Secretary (Law),
Government of Manipur.

